

NASSAU COUNTY TRAFFIC & PARKING VIOLATIONS AGENCY

CORRECTIVE ACTION PLAN

	RECOMMENDED ACTION	REPORT AUDIT NUMBER	IMPLEMENTATION STATUS
1	TPVA should reduce the time between a not guilty plea and a plea bargaining conference. <i>TPVA acknowledges that in the past, delays in scheduling conferences and trials has been extraordinary. Under management's corrective action plan, measures taken have eliminated delays in entering not guilty pleas. Further, TPVA is now allowing violators who show up in person to conference their case the same day if the calendar permits. On any given day anywhere from 30 to 50 violators have been accommodated. Scheduling delays result from not having sufficient Judicial Hearing Officers and staff available. However, TPVA will be utilizing Village Justices as authorized in VTL Section 1690. These initiatives and efficiencies will significantly decrease delays in scheduling.</i>	1	TPVA has cut the time that a defendant waits for a conference by half to 9 to 12 months. We believe that this timeline is still too lengthy, and have crafted an accelerated conference plan that will reduce the backlog in one year. Our goal, going forward, is to offer a conference to a defendant within six months of ticket issuance. Moreover, data entry of not guilty pleas are current. Furthermore, we now accommodate over 150 people per day who come to the Agency in person to present their not guilty pleas. This action has stabilized our backlog going forth. Finally, we were able to hire Village Magistrates and now we have a complement of nine Judicial Hearing Officers and are planning on hiring more.
2	The TPVA should seek changes in work shifts or allow for overtime expenses in order to expand the courtrooms hours late afternoons and evenings to facilitate increased accessibility to the public and expedite adjudications. TPVA could schedule a total of 100-150 conferences during the afternoon. Parking conferences should be given precedence, while traffic conferences should be scheduled for the remainder of the afternoon session.	1	TPVA began offering the public Wednesday night hours (5:30 pm-8:00 pm) and Saturday mornings (8:30 am-12 noon) on October 1, 2003. We have disposed of approximately 6,500 tickets and have collected over \$450,000 in revenue. We expanded our calendar by over two hundred a day and we have plans to increase it by another 100 per day commencing June 1, 2004.
3	During the afternoons, a cash drawer should remain open after 4 p.m. This drawer should be secured in TPVA's safe overnight and counted the next morning.	1	We have a cashier open until 4:15 pm everyday and on Wednesday it is open until 8:00 pm and on Saturdays, it is open until noon.

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4	Due to recent changes in VTL §1690, which permits village court justices to serve as judicial hearing officers (JHO's), the available pool of potential judicial hearing officers has increased. <i>TPVA will be utilizing Village Justices as authorized in VTL Section 1690. Although this section was enacted by state law in 2001, TPVA did not recruit village justices. To date resumes have been collected and initial screening undertaken. These initiatives and efficiencies will significantly decrease delays in scheduling.</i>	1	See response number 1.
5	TPVA should increase hearing officer schedules to allow time for the establishment of speeding fines and for the timely dismissal of defective equipment tickets. During these scheduled sessions, the judicial hearing officer could also set speeding fines of defendants who appear on the return date to plead guilty to speeding tickets. <i>Problems with speeding violation fines are being addressed in several ways. Judicial Hearing Officers are being specifically scheduled to set fines for speeding violations. Meetings have also been held with the Chair of the Board of Judges to discuss amending the way these fines are set. This matter may also be addressed through state legislation if needed. It is also anticipated that additional clerical staff will be available to assist in entering both the speeding violations and defective equipment dismissals.</i>	2	We have received approval from the Board of Judges to do this and currently we have our Judicial Hearings Officers implementing this recommendation.

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6	<p>TPVA should note in the CompuCourt system when a defendant does not appear for a scheduled hearing or trial, and should then initiate a suspension of the violator's license and enter a default judgment. Initiation of suspensions and entering of default judgments will result in increased revenues. By initiating suspensions and entering default judgments, TPVA will also send a message that there are consequences to not appearing at scheduled hearings. <i>TPVA's response indicated: Under management's corrective action plan TPVA is now initiating license suspensions. Automatic suspension may be both feasible and cost effective but cannot be implemented until data backlogs from 1998 to 2001 from a PILOT program are cleared up. TPVA does not want to suspend licenses in error. Enhancements have now been made to the COMPUCOURT system in order to track defendants eligible for default judgments. Ninety default judgments have been filed and outside counsel for the County Attorney is now executing against those who have not paid their fines. TPVA may not have the authority to file default</i></p>	3	<p>We will begin issuing a "Last Chance To Pay" billing to all motorists who have outstanding traffic tickets on June 30th. Those who do not comply will have their licenses promptly suspended by NYSDMV. As noted before, the Compucourt enhancement has been made on defaults and the County Attorneys' Office is now handling the process.</p>

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7	TPVA should seek approval to promote a current Clerk I to a budgeted vacant Clerk II position. In addition, TPVA should immediately seek to replace the Clerk I and the administrative assistant who retired and also seek to hire an additional two clerks to bring the staffing up to an effective level. <i>TPVA has reassigned staff as needed in the Courtroom and is currently utilizing Clerks on loan from other departments. All three Courtrooms are being utilized to their fullest.</i>	4	We were given permission to fill the Administrative Assistant position and that person has been put in charge of customer service initiatives, including revamping our antiquated phone system. She also is assessing the courtroom and clerical operation. Moreover, the retirement of the Secretary to the Executive Director, has allowed us to bring back an employee who was on loan to the CSEA. This individual's knowledge of the Agency will serve her well as we revamp operations. June 2004 update--we have acquired three new Clerks--two who are bi-lingual--and have approval to promote two Clerk II's. We are waiting for the Clerk II list to be certified. September 2004). We have also doubled our part time help to 12 and plan to increase it to 16 by the end of the summer.
8	To increase efficiency, TPVA should computerize the Judicial Hearing Officers and stenographer work schedules using a spreadsheet program. <i>Under our corrective action plan TPVA will computerize as many processes as possible, and is in the process of hiring a staff member with the skill to program spreadsheets.</i>	5	We have computerized work schedules agency wide.
9	TPVA should establish written procedures concerning the steps to be taken for collecting the fines, surcharges, and late fees on tickets that have not been responded to by the return date.	6	The Chief Prosecutor has implemented that recommendation.

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10	TPVA should actively pursue collection of outstanding fines, surcharges, and late fees owed. TPVA should investigate the feasibility of instituting an amnesty program for outstanding tickets that could include an incentive, such as waiving applicable late fees. <i>An amnesty period is under consideration.</i>	6	The Boot and Tow Program is still in operation and has been bolstered by a 40,000 piece mailing from our collections agency to scofflaws. An amnesty program is still under consideration. June 2004 update---TPVA has had legislation in front of the Legislature for four months to provide for the utilization of existing towing company contracts that the County has entered into. Unfortunately, that legislation is bogged down by other PBA-related issues. Accordingly, we have met with NC Highway and we are putting together of master list of scofflaws that the Emergency Service Unit will work from when they have available time. Because ESU is so strapped, we were hoping for the passage of this legislation. We are in process of putting together a "Last Chance To Pay" campaign for parking and traffic and then plan to go to an amnesty plan when this step has been exhausted.
11	Enhancements to the CompuCourt system should be made so that dunning notices, pre-suspension warnings, submission of scofflaw requests with the commissioner of motor vehicles, and default judgment filings are automatically generated based upon the passage of time or number of outstanding violations. <i>Under our corrective action plan, enhancements to the CompuCourt System were identified and approval for the necessary contract amendments has been obtained.</i>	6	Our enhancement plan is going is proceeding, including DMV interfacing. Credit Card acceptance received priority this spring. June 2004 update--all implemented.

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12	TPVA should monitor the effectiveness of LES's collection performance to ensure that it is actively pursuing all outstanding parking tickets. <i>In the past LES's performance was hindered by TPVA not forwarding data in a timely manner. LES provides reports as requested by TPVA. TPVA plans to reduce the time from billing to collections by approximately 60 days.</i>	6	TPVA has begun to send LES a weekly collection file. We are still working toward our goal of getting the ticket to LES 60 days after the return date.
13	TPVA should establish procedures in relation to return-to-sender items. TPVA should contact DMV to obtain current mailing addresses for return to sender-traffic tickets. <i>In regards to Return to Sender items, TPVA will be relying on a more expedited billing of collections process to reduce the number of return to sender items. The two-year registration of plates in New York reduced the quality of the State database by having updates performed on a less frequent basis. TPVA believes a more efficient approach is to get the data to collection within 90 to 120 days of issuance, thereby reducing the number of Return to Sender items.</i>	6	We have implemented this suggestion and we have the laser printers in operation.
14	TPVA should investigate the cost effectiveness of contracting with a collection agency to pursue outstanding traffic tickets.	6	We are currently in the process of amending LES's contract to do this.

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15	The section of the collection contract concerning default judgments should be strengthened. It should indicate that it is the responsibility of the collection agency to request that TPVA enter a plea of guilty on behalf of a defendant in accordance with VTL. The collection agency should be responsible for preparing the information so that TPVA can enter the plea of guilty on behalf of the defendant. TPVA should investigate whether the collection agency may file these documents on its own or if it is necessary for the filing to come from TPVA. <i>It is TPVA's responsibility to identify and enter guilty pleas on behalf of defendants as authorized by the VTL. The collection agency acts only as an agent for TPVA.</i>	6	The County Attorney's Office is currently working on a new default process and we will integrate that initiative into our collection process.
16	TPVA indicated that it expects to modify the computer system to process partial payments by year-end and is meeting with DMV and the state comptroller to discuss the reporting and implementation of partial payments. <i>The partial payment fund will be implemented in the First Quarter of 2003.</i>	6	Enhancements have been completed by Quest and methodology agreed upon with NYSDMV. Fund of almost \$850,000 should be realized by July, 2004.
17	TPVA should require its collection agency to produce reports on its effectiveness. It should request data such as collections from each aging category, collections from the return-to-sender tickets and the number of default judgments requested. TPVA should discuss these results with LES and develop strategies to enhance collections. <i>TPVA agrees that better reporting procedures are necessary and has requested a staff person to help in generating and analyzing necessary reports.</i>	7	The Executive Director and LES confer weekly confer on these and other issues in order to bolster revenue.

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18	TPVA should take steps to decrease the backlogs. The process of importing traffic ticket information from the police department's Swift Justice system should be completed. <i>The ticket entry backlog has been eliminated. Tickets are being entered almost three weeks prior to the return date. Staff was also reassigned to enter not guilty pleas, which are now current. TPVA agrees that a major reason for delays is the need for new technology, however, in prior years TPVA requested and was denied the funding and staff necessary to implement the new technology. Under our corrective action plan, approval was obtained for new hardware and software which has been delivered. The interface between COMPUCOURT and SWIFT will be operational the First Quarter of 2003.</i>	8	We implemented the interface with SWIFT JUSTICE, but, unfortunately, it was not a seamless process. In its stead, we have partnered with the New York State Governor's Traffic Safety office, the New York State Police and the Nassau County Traffic Safety Board to implement the TraCS system. The County was just awarded a \$500,000 grant to provide for the electronic disposition of traffic tickets county-wide. The program has begun for the tickets issued by the NYSP and training for Nassau County PD is expected in August.
19	TPVA should encourage the police department to increase the use of handheld-parking ticket writers. TPVA should also encourage the police department to institute handheld writers for moving violations. <i>Increasing the use of hand helds is being analyzed from a cost benefit perspective.</i>	8	We have constantly advocated for the increased use of handheld-parking ticket writers and devices. Currently, there are only about 25 devices and not all of them are being utilized to potential. Recently, we have been informed that some devices have been dispatched to the Community College. There is a real need for more devices and more personnel to write parking tickets. The compliance rate hovers in the 80% range, thereby, pointing to the fact that they are cost-benefit plus. As noted, above, the process of electronically-driven tickets has begun.
20	TPVA should manually investigate all payments made before 2002 in the suspense account in order to match them to tickets. Once this account is brought up-to-date, this function should be manually performed by TPVA on a daily basis for the payments that are not matched by the computer.	8	The parking suspense file was cleaned up through 2000. We are continuing the process and overtime has helped alleviate the backlog. June 2004 update---we are completing the entire process and should have it completed by September 2004.

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21	TPVA should consider implementing new features on its website. TPVA should consider installing additional telephone lines, increasing the volume of messages allowed in their voice mail system, and hiring additional clerks to answer the phone. <i>TPVA agrees with the audit findings and is researching the use of an interactive website and a better phone system. The use of credit cards was approved by the Legislature and TPVA is coordinating with the Treasurer's Office to implement credit card payment procedures.</i>	9	TPVA has upgraded its telephone system and website and has hired additional clerks to answer the phone. We have accepted credit cards in person since March 2003 and will start accepting them over the phone on June 15, 2004. Moreover, we have just selected a vendor for PayOnline/Lookup. Finally, we are still exploring the issue of an interactive voice response system.
22	The CompuCourt system should either limit the types of changes to records that can be made by employees or be enhanced to generate reports of changes made by individuals that are not directly related to their normal duties. For example, a cashier should not be allowed to change fines and violation numbers. A report should be generated indicating the changes that are made to records. A supervisor, at least on a test basis, should examine the reports generated to ensure that any changes made were warranted. <i>COMPUCOURT does provide a security system, which allows items on any menu to be blocked from use by any defined class of employee. A cashier must be allowed to make corrections or additional delays in processing will result. COMPUCOURT can provide reports when modified payments are entered.</i>	10	This recommendation has been implemented.

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23	TPVA should determine the management reports that are required and have the vendor incorporate these into CompuCourt or seek replacement of the system with one that is capable of generating them. TPVA should perform an analysis of whether it is more cost effective in the long term to upgrade CompuCourt or to install a new computer system. This analysis should be performed immediately so that the RFP process can be initiated quickly to ensure that a new system can be installed by March 31, 2003. <i>COMPUCOURT generates over 50 reports to date and works with TPVA to generate reports as needed. TPVA and Quest have discussed the automation of billing notices. New equipment such as laser printers will be purchased. In fact, TPVA is working towards automating as many processes as possible.</i>	11	We believe that the ratification of contracts with Quest (maintenance and enhancement) and LES will put us in a position for better interface. Moreover, while our computer installation is almost complete, we are awaiting new laser printers that will allow us to disseminate timely billing notices. June 2004 update---enhancements completed and laser printers in operation for more timely billing.
24	TPVA has been satisfied with the work of Quest. As is the case with LES their abilities have been hindered by the lack of resources in prior years at TPVA. TPVA is a unique agency and no “off the shelf” software package could provide the functionality of COMPUCOURT. Given the host of problems that have faced this agency any consideration of changing the entire computer system would be part of a long-term management plan.	11	We believe that the ratification of contracts with Quest (maintenance and enhancement) and LES will put us in a position for better interface. Moreover, while our computer installation is almost complete, we are awaiting new laser printers that will allow us to disseminate timely billing notices. June 2004 update---enhancements completed and laser printers in operation for more timely billing.
25	TPVA should authorize and train other employees to be able to perform suspension, scofflaw, and inquiry duties. The duties should be separated so that no one individual is required to perform all of them. <i>TPVA agrees that sufficient cross training or delegation of duties did not exist in prior years. TPVA has received approval for a middle management position as well as a personal computer support specialist to assist management.</i>	12	This recommendation has been fully implemented.

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26	In order to retain its best employees, TPVA should seek to create positions designed to enable career advancement. <i>TPVA agrees that there should be a career path for the staff which was recommended in the Multi-Year Plan for 2002-2005.</i>	12	TPVA has promoted two Cashier I's to Cashier II. We are in the process of promoting two MKO I's to MKO II and two Clerk I's to Clerk II. Cross-training has been bolstered.
27	TPVA should enhance the CompuCourt system, enabling/requiring employees to change their passwords on a periodic basis. The feature of the CompuCourt system should be utilized to require that employee passwords be changed on a periodic basis. <i>COMPUCOURT does have a feature that allows for the update of passwords.</i>	13	This recommendation has been implemented.
28	TPVA should have an automatic anti-virus program installed on the personal computer used to download the lockbox payment. This program should also include automatic updates for identification of new viruses. <i>The anti-virus program suggested would be a TPVA issue. Information Technology (IT) would be responsible for installing an anti-virus program. TPVA will pursue this matter with IT.</i>	13	This recommendation has been implemented.
29	TPVA should upgrade the CompuCourt system so that it would automatically generate underpayment letters to defendants. TPVA's CompuCourt system should be linked to the NIFS system so that requisite refund checks can be automatically generated. <i>TPVA is looking to automate processes that are currently handled manually. Linking COMPUCOURT to the NIFS system has been discussed but would require coordination of several departments: TPVA; Treasurer; Comptroller; OMB; and the assistance of IT.</i>	14	They are being sent out manually and we are working on the automatic enhancement.

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30	TPVA should deposit violators' overpayment checks and issue refunds in the amounts of the overpayments. TPVA should return the \$250,000 in outstanding overpayments to violators. <i>The problem with issuing refunds for overpayment is identifying the actual payer. Often times, only the license plate information is available. An enhancement is being explored to correct this problem.</i>	14	This is being implemented and should be completed by September 2004.
31	TPVA should post a sign stating that the defendants should receive receipts for their payments.	14	Implemented.
32	TPVA should prepare a strategic short- and long-term personnel plan for the efficient management of operations and to maximize revenues. The plan should call for flexibility among job titles and allow for the cross training and transfer of employees from one responsibility center to another as technology is put in place. <i>Inspector O'Callaghan's review identified insufficient staffing and management inefficiencies as the causes of excessive backlogs in all aspects of the operation. Under the corrective action plan new management efficiencies have helped to reduce backlog. TPVA has prepared a strategic plan incorporating the areas identified in the audit. Since March TPVA has instituted many changes and has maximized staff productivity within the confines of the CSEA contract and Civil Service regulations.</i>	15	Implemented.

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33	TPVA should seek approval to immediately fill the three vacant budgeted positions. TPVA should also seek approval to hire people to replace the retired employees immediately, and seek approval to hire one person to oversee parking violations and another to oversee traffic violations, as noted in the proposal from Quest Computer Systems. <i>Critical additional staff has been added and new staffing requirements in the 2003 budget have been identified.</i>	15	Implemented.
34	TPVA should seek to install a second metal detector to enable more people to enter its offices in the same amount of time. <i>The line outside of TPVA has been eliminated by utilizing staff to walk the line and answer questions.</i>	16	June 2004 update---because of the speedy system we have in place, the second detector would only be a hindrance.
35	TPVA should consider stratifying traffic hearings into three or four groups per-day and informing violators to appear accordingly. For example, group 1 could be at 9:00 a.m., group 2 at 10:30 a.m., group 3 at 1:p.m. and group 4 at 2:30 p.m. TPVA should request the issuing agencies to indicate on parking tickets that the defendant should appear at 2 p.m., rather than 9 a.m. <i>TPVA is also considering scheduling hearings at different intervals and is reformatting parking tickets to indicate that defendants can plead by mail anytime prior to the return date.</i>	16	<i>We have bolstered our morning and afternoon calendar by over 250 cases and because we open the doors at 8:30am, we have an early crowd and then accommodate the "late" crowd at 9:00-9:30am.</i>
36	TPVA should consider opening satellite payment offices to ease congestion at its office and to provide convenient locations for the public. <i>An interactive website and/or pay-by-phone operation may provide the convenience for people to pay without incurring additional costs associated with satellite offices.</i>	16	We tried to get NYSDMV to consider doing so, but at this point, the financial incentive has not proved to be the overriding factor. Staffing is a problem for the State as well.

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37	The county should seek a change in state legislation to allow not-guilty pleas for traffic tickets to be mailed within 15 days of the violation, which is allowed when the ticket is to be adjudicated by DMV's Traffic Violation Bureaus, instead of the current 48-hour requirement if the ticket is to be adjudicated at TPVA.	16	We have discussed this with DMV and may be able to accomplish this by administrative directive.
38	TPVA and the county should supply uniform tickets to issuing agencies. This will ensure that the tickets are unique and are issued in sequential order. Each issuing agency should be assigned a distinct two-letter code to ensure that duplicate tickets are not issued by different agencies. <i>TPVA is working with the Police Department to redesign the parking ticket which is printed and paid for by the Police Department. We agree that a uniform ticket should be used by all issuing agencies. Traffic tickets are generated by the State and we are endeavoring to see if it is possible to change the format.</i>	17	We have redesigned the form and ticket for the County and they are being printed and we are still pressing for the municipalities to enter into an uniform agreement.
39	Each ticket should have a unique number, and when each issuing agency forwards their tickets they should include a list of voided tickets so that the TPVA can ensure that it adjudicates all of the tickets.	17	See above.
40	TPVA and the police department should increase use of handheld ticket writers, since handheld tickets would be more accurate and legible. They should also expand the use of handheld units to other issuing agencies and to tickets for traffic violations. <i>Before the Police Department increases the use of hand held ticket writers a cost benefit analysis must be completed.</i>	18	As previously discussed, this initiative is being acted on.
41	The dismissal request form should include an explanation of why the ticket is recommended for dismissal.	18	Under consideration.

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42	TPVA should seek to consolidate the various fine schedules into a more manageable number. <i>TPVA will be meeting with various jurisdictions to discuss a uniform fine schedule.</i>	18	As previously discussed, we are moving ahead with this initiative.
43	TPVA should have the petty-cash fund counted by an individual, other than the custodian, at least once a month. <i>Currently, three staff members have access to the safe and the Petty Cash Fund.</i>	19	The Assistant to the Director will be doing this.
44	The petty-cash custodian should be barred from making any purchases that are reimbursed through the petty-cash account. <i>The Petty Cash custodian</i>	19	We still believe this process is above reproach.
45	TPVA should have the person who opens the mail restrictively endorse and list the check remittances. <i>The problem that arises when endorsing checks and money orders before posting is that if the payment does not belong to TPVA, or is an overpayment, a restrictive endorsement would negatively impact</i>	20	This methodology is still being followed because of staffing concerns at the present time. We will look at revision in the future.
46	TPVA should have a person other than the one initiating purchases receive them. <i>Limited staffing occasionally results in the purchasing employee also receiving the goods purchased. Once again, we are not aware of any written procedure barring this action.</i>	20	See response to Question 43.
47	TPVA should ensure that all fixed assets are properly tagged.	21	Done
48	TPVA should contact the purchasing department to initiate the disposal of unused assets. <i>TPVA is in the process of disposing of unused assets at this time.</i>	21	Done.
49	TPVA should ensure that all assets are properly accounted for or added to their records during their annual fixed asset inventory count.	21	See response to Question 46.